

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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DAVID WHEELER,

Plaintiff,

vs.

MGM RESORTS INTERNATIONAL,  
et al.,

Defendants.

2:11-CV-02046-PMP-RJJ

**ORDER**

Before the Court for consideration is Defendants' fully briefed Motion for Summary Judgment (Doc. #61) filed June 27, 2012. For the reasons set forth in Defendants' Motion and Reply Memorandum (Doc. #67) the Court finds that Defendants' Motion for Summary Judgment (Doc. #61) must be granted.

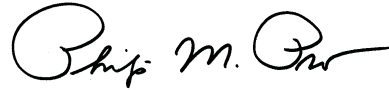
Specifically, as argued by Defendant MGM Resorts International, Plaintiff's Complaint contains three causes of action, all of which relate to his allegations that he was the victim gender discrimination while employed at Ramparts, Inc. dba Luxor Hotel and Casino. Although Defendant MGM Resorts International is the parent corporation of Luxor Hotel and Casino, there is no dispute that Wheeler has never been employed by MGM Resorts International, nor has he ever filed a charge of discrimination or otherwise exhausted his administrative remedies as to Defendant MGM Resorts International for claims of discrimination, harassment and/or retaliation. These defects are fatal to Plaintiff's claims against

1 Defendant MGM Resorts International.

2 **IT IS ORDERED** that Defendants' Motion for Summary Judgment (Doc.  
3 #610 is **GRANTED** and that the Clerk of Court shall forthwith enter judgment in  
4 favor of Defendant MGM Resorts International and against Plaintiff.

5 **IT IS FURTHER ORDERED** that Plaintiff's Request to Strike  
6 Defendants' Motion for Summary Judgment (Doc. #64) is **DENIED**.

7 DATED: August 6, 2012.

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PHILIP M. PRO  
United States District Judge